

DOCKET NO.: BELL-0135/01179
Application No.: 09/966,245
Office Action Dated: August 16, 2004

PATENT

REMARKS

In response to the Office Action dated August 16, 2004, Applicants respectfully request reconsideration based on the following amendments and/or remarks. Applicants respectfully submit that the claims as presented are in condition for allowance.

Claims 1-18 are pending. Claims 1-18 have been rejected. Claims 1, 15 and 16 are independent claims from which claims 2-14, and 17-18 respectively depend. Independent claims 1, 15 and 16 have been amended. Claims 2, 3, 10 and 12 were amended solely to correct antecedent basis required by the amendment of claim 1 and not for reasons of patentability. Support for the amendments can be found on page 7, last paragraph and elsewhere in the application as filed. No new matter has been added.

Applicant thanks the Examiner for the telephone interview held on October 7, 2004. Attached herewith is an Interview Summary.

Claims 1-18 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Runyan et al. (U.S. Patent No. 6,546,547) in view of Dutta et al. (US Publication Number 20040015950 A1). It is respectfully submitted that the claims are patentable for the reasons set forth below.

Neither Runyan nor Dutta, alone or in combination recite all the features of Applicant's claim 1. Claim 1 recites:

A method for tracking acceptance/regression testing of software via a communications network, the method comprising:
receiving data representing a function of the software to be tested;
storing the data representing the function of the software to be tested in *an acceptance/regression testing database, the acceptance/regression testing database modifiable by a vendor of the software and by a customer;*
receiving an identifier of a customer technician assigned to test the function;
storing the identifier in the acceptance/regression testing tracking database;
receiving an indication of a result of the customer technician's testing of the function;
storing the indication in the acceptance testing tracking database.

(emphasis added).

Applicant's invention may be deployed as part of a computer network as illustrated in FIG. 1, in which servers 10a, 10b, etc. are interconnected via a communications network 160 (which may be a LAN, WAN, intranet or the Internet) with a number of client computers 20a, 20b, 20c, etc.

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FIG. 2 illustrates a flow diagram of a software acceptance/regression testing method that may be practiced on the system of FIG. 1. In one embodiment, at 302 software for which acceptance/regression testing is to be performed may be loaded into a client development area for testing. At 304 a database or databases may be created or may already exist for tracking functions to test and for logging problems found. A vendor may provide a client with a list of functions to be tested, although, alternately, the client could prepare a list of functions to be tested. The list of functions may be entered into a software acceptance/regression testing database.

Each function to be tested may be associated with various pieces of information such as a ticket number 402, a test identification code, ("test id") 404, a vendor tracking number, a status field 412 and so on. A client technician may be assigned a number of functions to test. As the technician tests the assigned functions at step 310, the technician enters the results of the function test into status field 412 by selecting one of the options in the drop-down box.

The vendor may ascertain functions that have been tested by the client, by accessing the database. The vendor may also update fields in the database. This process may continue until testing is complete.

Runyan is directed to a system and method for efficiently performing the final boot testing of new images of an operating system which contains new code for new hardware platforms. A boot test is a test done to insure that "each IOS image created will load into the given platform properly" column 7, lines 47-49. After all the boot testing has been tested "as thoroughly as practicable" column 7, line 52, the version is released to the customer. Hence the only testing performed is done by the vendor before the release of the operating system to customers. More specifically, Runyan doesn't disclose or suggest at least "storing the data representing the function of the software to be tested in an acceptance/regression testing database, the acceptance/regression testing database modifiable by a vendor of the software and by a customer", as recited in Applicant's amended claim 1.

In Runyan, a data file is accessed. The data file contains reference data used to determine which image to boot (Runyan, column 8, lines 47-50). "Next the system gets the test bed configuration file 505 which indicates the routers available and associates available routers with their associated platforms." (See Runyan, column 8, lines 65-67.) Next, a test engineer "specifies the output location for the results" (Runyan, column 9, lines 24-25), and

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the test engineer initiates the boot load. (Runyan, column 9, line 32). "If the boot load works the system writes the 'show version' and 'show free memory' reports to the designated file." (See Runyan, column 9, lines 44-46.) "...[I]f the boot load failed an error report is written 521 to the designated file." (See Runyan, column 9, lines 50-51.) Hence, at least no "acceptance/regression testing database, the acceptance/regression testing database modifiable by a vendor of the software and by a client of the vendor" is disclosed or suggested.

The defects of Runyan are not cured by Dutta.

Dutta describes a system and method for enabling customers to access an upgraded version of a software application hosted by the vendor without interfering with the current version of the software the customer uses. The customer can provide feedback which is analyzed. The feedback the customer can provide is in the form of a predetermined number of questions presented on a screen, the questions directed to testing of the software as a whole, ("Does the application crash when you perform some operation? Are any of the new features provided by the new server useful to you?"). "When the form has been completed and submitted back to the ASP for example, the upgrade evaluation analysis, as shown in FIG. 6, is initiated." (See Dutta, page 3, paragraph 25). The results are aggregated: "...there must be a minimum number of testers used to evaluate the upgrade application, as a matter of statistical analysis, before it can be deemed to be ready for general release." (See Dutta, page, 3, paragraph 25.) Dutta does not disclose or suggest at least an "acceptance/regression testing database, the acceptance/regression testing database modifiable by a vendor of the software and by a client of the vendor" as recited by amended claim 1. Because Dutta's feedback is directed to the software as a whole instead of to individual features of software to be tested, there would be no need for a database as recited in Applicant's claims. Hence, Applicants submit that neither Runyan nor Dutta disclose or suggest all the non-obvious features of Applicant's amended claim 1 and respectfully request the withdrawal of the 103 rejection of claim 1 and its dependent claims.

Independent claims 15 and 16 recite analogous features. Applicants therefore request the withdrawal of the 103 rejection of claims 15 and 16 and the claims that depend therefrom for the reasons discussed above.

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In view of the above amendments and remarks, Applicant respectfully submits that the present application is in condition for allowance. Reconsideration of the application and an early Notice of Allowance are respectfully requested.

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